

REMARKS

The Applicant respectfully requests reconsideration and Allowance of Claims 1-27 in view of the amendments above and the following arguments.

35 U.S.C. § 102 REJECTION

- 5 Claims 1-3, 5-7, 9-12, 14-16, 18-21, 23-25 and 27 were rejected under 35 U.S.C. §102(e) as anticipated by Hartenstein et al. (US Patent No. 6,711,470) ("Hartenstein").

35 U.S.C. §103 REJECTIONS

- 10 Claims 4, 8, 13, 17, 22 and 26 were rejected under 35 U.S.C. §103(a) as obvious over Hartenstein.

STATUS OF THE CLAIMS

Claims 1-27 remain pending in this case.

- 15 Independent Claims 1, 10 and 19 have been amended, in pertinent part, to add the limitation that the analyzer compares one pressure input with another pressure input. These amendments represent clarifications and do add further limitations to the respective claims.

INDEPENDENT CLAIMS 1, 10 AND 19 ARE NOT TAUGHT OR SUGGESTED BY THE CITED REFERENCE

- 20 Independent claims 1, 10 and 19 have been amended to clarify that the analysis device 26 receives and compares one pressure with another pressure. This limitation is set forth throughout Applicant's specification. (See e.g. page 3, lines 18-21 and page 4, lines 1-3; page 9, lines 16-21; page 10, lines 1-7; page 12, lines 11-13; and page 14, lines 5-7, for example).

- 25 The Examiner cites Hartenstein as disclosing and/or suggesting Applicant's invention. The Applicant respectfully disagrees. Hartenstein discloses only a system for monitoring and adjusting the quality of indoor air. (Abstract) Hartenstein monitors and adjusts air quality by increasing the amount of outside air that is mixed with the recirculated air (Column 11, lines 6-7) cleaning the recirculated air (column 11, lines 52-54) or cleaning the outside air before mixing it with the recirculated air. (Column 11, lines 27-30). Hartenstein's
30 scheme will indirectly affect some building pressures but Hartenstein's scheme never compares much less controls any pressures. Nothing whatsoever is mentioned about controlling the pressure of a building in any way. All that Hartenstein does is sample the air in the system, either inside or outside, and compare the sample with a database 88 of

contaminants in order to determine if the air is contaminated or not. (Column 10, lines 9-11). The database 88 is a library of contaminant signatures. (Column 10, lines 44-46). There is no known library or database of building pressure comparisons of the various floors to compare to. Building pressure is a dynamic situation that changes literally by the second, leaving any such "pressure database" useless. Only by comparing at least one pressure reading with another pressure reading can an accurate pressure relationship be determined in such a dynamic environment. Again, nothing in Hartenstein discloses or describes comparing one pressure with another. Further, Hartenstein never discloses or suggests controlling the building pressure as a result of that comparison.

Thus, Applicant respectfully requests that the rejection of claims 1, 10 and 19, as amended herein, be withdrawn and the claims allowed. Applicant also respectfully requests that the rejection of the claims that depend from claims 1(claims 2-9), 10 (claims 11-18) and 19 (claims 20-27) are allowable for at least the same reasons as the independent claims are allowable.

INDEPENDENT CLAIMS 1, 10, AND 19 ARE NOT SUGGESTED BY THE CITED ART

Independent claims 1, 10 and 19 have been amended as indicated above and are allowable for the reasons set forth above. The Examiner concedes that Hartenstein does not disclose Applicant's invention as set forth in dependent claims 4, 8, 13, 17, 22 and 26.

Because, as set forth above, independent claims 1, 10 and 19 are not anticipated by Hartenstein and because Hartenstein does not disclose or suggest the missing elements, these dependent claims can not be obvious in view of Hartenstein.

As a result, Applicant respectfully requests that the rejection of claims 4, 8, 13, 17, 22 and 26 be withdrawn and the claims allowed..

CITED BUT NON-APPLIED REFERENCES

The subsidiary references have been reviewed but are submitted to be less relevant than the relied upon references.

CONCLUSION

In light of the above, Applicant respectfully requests reconsideration and allowance of Claims 1-27. If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, the Examiner is asked to telephone the undersigned attorney.

Applicants intend this to be a complete response. No fee is believed due; however if a fee is due, please charge the deposit account number indicated on the transmittal letter.

Respectfully submitted,

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